

# Emergency Planning Community Right-To-Know

Chemical Inventory Reporting Requirements

Ellen Banner, USEPA - RegionII

# EPCRA 311 & 312 Chemical Inventory Reporting Requirements

## Material Safety Data Sheet (MSDS) reporting

- One time reporting requirement

## Hazardous chemical inventory reporting requirement

- Annual hazardous chemical inventory due by March 1

# If a facility stores.....

A material on the EPA Extremely Hazardous Substance (EHS) list at 500 pounds or that material's specific Threshold Planning Quantity (TPQ), whichever is less

There are approximately 366 chemicals on the EHS list. TPQs are listed in the List of Lists which can be found at:

<http://www.epa.gov/ceppo/pubs/title3.pdf>

# A Few Examples

- Ammonia is reportable at 500 pounds
- Chlorine is reportable at 100 pounds
- Hydrofluoric Acid is reportable at 100 lbs.
- Zinc Phosphide is reportable at 500 lbs.

# If a facility stores...

> 10,000 pounds of *any* hazardous chemical

A chemical is considered hazardous if it is listed as such or if it meets any one of the OSHA criteria

OSHA MSDS + > EPCRA threshold requires Tier II submission

# Hazard Categories under Sections 311, 312 of EPCRA

## Physical Hazards:

Fire Hazard – includes: a flammable material, a combustible liquid, a pyrophoric material or an oxidizer

Sudden Release of Pressure – includes: explosive materials and compressed gases

Reactive – includes: unstable reactive materials, organic peroxides, and water reactive materials



# Hazard Categories under Sections 311, 312 of EPCRA

## Health Hazards:

Immediate (Acute) Health Hazard – includes:  
highly toxic and toxic materials, irritants,  
sensitizers and corrosives

Delayed (Chronic) Health Hazard – includes:  
carcinogens - as well as other chemicals with an  
adverse effect on a target organ that generally  
occurs as a results of long term exposure and with  
a long duration

# A Few Examples

- Gasoline & diesel are reportable at 10,000 pounds unless they are stored underground at a retail gas station, then their thresholds are 75,000 gallons & 100,000 gallons, respectively.
- Sodium Hypochlorite is reportable at 10,000 pounds, but if it's in solution, you only count the sodium hypochlorite portion of the solution to determine if the threshold is met.



# Exemptions

- Any food, food additive, color additive, drug or cosmetic regulated by the FDA
- Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use

# Exemptions

- Any substance used for personal, family or household purposes - or is present in the same form and concentration as a product packaged for consumer use
- Any substance to the extent it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual

# Exemptions

- And, any substance to the extent it is used in routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate consumer.
- It is EPA's position that routine agricultural operations do not include the refrigeration systems used to keep products cold.

# Reporting Requirements

Section 311 requirements are a one time submittal – MSDS due within three months of the time the hazardous material is present at the facility (in reportable amounts) and within three months after the discovery of significant new information concerning any aspect of the hazardous material.

# Reporting Requirements

Section 312 requires an annual submittal of inventory forms (Tier II forms) and the information is due on March 1<sup>st</sup> for each previous calendar year

Forms and instructions are available on the web at:

<http://www.epa.gov/emergencies/content/epcra/tier2.htm>



<b>Tier Two EMERGENCY AND HAZARDOUS  CHEMICAL INVENTORY</b>  <i>Specific Information by Chemical</i>	<b>Facility Identification</b> Name _____ Street _____ City _____ County _____ State _____ Zip _____ NAICS Code _____ Dun & Brad Number _____		<b>Owner/Operator Name</b> Name _____ Phone ( ) _____ Mail Address _____ <b>Emergency Contact</b> Name _____ Title _____ Phone ( ) _____ 24 Hr. Phone ( ) _____ Name _____ Title _____ Phone ( ) _____ 24 Hr. Phone ( ) _____																																
	FOR OFFICIAL USE ONLY		ID # _____ Date Received _____																																
	<b>Important: Read all instructions before completing form</b>																																		
	Reporting Period From January 1 to December 31, 20____		<input type="checkbox"/> Check if information below is identical to the information submitted last year.																																
<b>Chemical Description</b>	<b>Physical and Health Hazards</b> <i>(check all that apply)</i>	<b>Inventory</b>	<b>Container Type</b> <b>Pressure</b> <b>Temperature</b>	<b>Storage Codes and Locations (Non-Confidential)</b> <i>Storage Locations</i>	<b>Other</b>																														
CAS _____ Trade Secret _____ Chem. Name _____ Check all that apply: <input type="checkbox"/> Pure <input type="checkbox"/> Mix <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> EHS EHS Name _____	<input type="checkbox"/> Fire <input type="checkbox"/> Sudden Release of Pressure <input type="checkbox"/> Reactivity Immediate (acute) <input type="checkbox"/> Delayed (chronic)	Max. Daily Amount (code) _____ Avg. Daily Amount (code) _____ No. of Days On-site (days) _____	<table border="1" style="width: 100%; height: 100px;"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table>																															_____ _____ _____ _____ _____ _____ _____ _____ _____ _____	<input type="checkbox"/>
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<b>Certification (Read and sign after completing all sections)</b> I certify under penalty of law that I have personally examined and am familiar with the information submitted in pages one through _____, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.			<b>Optional Attachments</b> <input type="checkbox"/> I have attached a site plan <input type="checkbox"/> I have attached a list of site coordinate abbreviations <input type="checkbox"/> I have attached a description of dikes and other safeguards measures																																
Name and official title of owner/operator OR owner/operator's authorized representative _____			Signature _____ Date signed _____																																

# Tier II Reporting Range

Range Code	* Reporting Ranges Weight Range in pounds	
	From.....	To.....
01	0	99
02	100	999
03	1000	9,999
04	10,000	99,999
05	100,000	999,999
06	1,000,000	9,999,999
07	10,000,000	49,999,999
08	50,000,000	99,999,999
09	100,000,000	499,999,999
10	500,000,000	999,999,999
11	1 billion	Higher than 1 billion

# NYS SERC Tier II Submittal

**Tier II Administration:** New York State Emergency  
Response Commission

C/O The New York State Emergency Management  
Office

1220 Washington Avenue, Building 22, Suite 101  
Albany, New York 12226-2251

**Phone:** 518-292-2302

# New York State is strongly encouraging facilities to use E-Plan

- By using E-Plan, those required to report will satisfy the Tier II submission to the State. The decision to accept online reporting to LEPCs and fire departments has been left up to each individual jurisdiction.
- For further information, please check:
- <http://www.semo.state.ny.us/programs/SERC/tier2.cfm>.

# LEPC & FD Tier II Submittal

- The LEPCs of Erie & Niagara Counties have adopted E-Plan in their bylaws and all Fire Departments in these counties accept via E-Plan. For further information, please check:
- <http://www.erie.gov/depts/lepc> and
- <https://erplan.net/eplan/login.htm>